

CONFIDENTIAL

ATTORNEY/CLIENT PRIVILEGE
ATTORNEY WORK PRODUCT

THE FIRM OF
HUESCHEN AND SAGE
P.L.L.C.

ATTORNEYS AND COUNSELORS
500 COLUMBIA PLAZA
350 EAST MICHIGAN AVENUE
KALAMAZOO, MICHIGAN 49007-3856

PHONE: 616-382-0030
FAX: 616-382-2030
pat_marksameritech.net

PATENT TRADEMARK
AND COPYRIGHT PRACTICE
GORDON W. HUESCHEN
(1983-2001)
G. PATRICK SAGE
AND
"THE HUESCHEN MACHINE"

CONFIDENTIAL

FAX TRANSMISSION

CONFIDENTIALITY NOTICE

The information contained in this facsimile transmission is CONFIDENTIAL INFORMATION WHICH ALSO MAY BE LEGALLY PRIVILEGED, intended only for the use of the individual or entity named below. Unauthorized use, disclosure or copying is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify us by telephone and return this original message to us at the above Kalamazoo address via the United States Postal Service. Thank you.

DATE: August 9, 2002

TO: Leonard SMITH, Esq.
PCT LEGAL DIVISION

FAX NO.: 703-308-6459

FROM: HUESCHEN & SAGE

FAX NO.: 616-382-2030

RE: Applicant : Jean Pierre GIRAUD & Roger NOBILET
Serial No. : 09/869,768
Filed : June 29, 2001
Title : Dispenser of Objects
Art Unit : 3651
Examiner : Deborah D. WILLIAMS, Esq.

NO. OF PAGES INCLUDING COVER SHEET: 15

Dear Mr. SMITH:

On instructions of Examiner HO, we forward the attached Petition.
Reconsideration and Withdrawal of the referenced Abandonment are respectfully solicited.

Very truly yours,

THE FIRM OF HUESCHEN AND SAGE

By:


G. PATRICK SAGE

CERTIFICATE OF TRANSMISSION
UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office, PCT Legal Office, at number: 703-308-6459 on

9 AUGUST 2002
HUESCHEN AND SAGE

G. PATRICK SAGE
Dated: 9 AUGUST 2002

PF96PCT

* * * * *

Applicant : Jean Pierre GIRAUD & Roger NOBILET
Serial No. : 09/869,768
Filed : June 29, 2001
Title : Dispenser of Objects
Art Unit : 3651
Examiner : Deborah D. WILLIAMS, Esq.

* * * * *

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR § 1.181

Sir:

Responsive to the Notice of Abandonment dated July 26, 2002 (copy attached), and in further Response to a telephonic interview with Attorney HO in the PCT Legal Division, the applicants Petition for Withdrawal of the Notice of Abandonment.

REMARKS

On February 6, 2002, the USPTO issued a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC § 371, giving the applicants notice that the Oath or Declaration of the inventors MUST be furnished. On May 9, the applicants filed with the USPTO a Transmittal of Missing Parts under Certificate of Mailing, which Transmittal included:

**Transmittal of Missing Parts, and accompanying fee of \$130.
Copy of Notice to File Missing Parts,
Declaration and Power of Attorney,
Petition under 37 CFR § 1.47, with accompanying evidence,
Petition for two (2) month Extension, with accompanying \$400.00 fee.**

A copy of the Transmittal, Notice, Declaration, Petition under 37 CFR § 1.47 (without the evidence), Petition for two (2) month Extension, and canceled Return Postal Card receipts for all of the above are attached hereto.

* * * * *

Accordingly, reconsideration and withdrawal of the instant erroneous Notice of Abandonment and commencement of the examination of this application are all hereby respectfully solicited. It should be apparent that the undersigned attorney has made an earnest effort to resolve this USPTO error. If he can be of assistance to the Examiner in the elimination of any possibly-outstanding insignificant impediment to immediate examination, the Examiner is respectfully invited to call him at his below-listed number for such purpose.

Respectfully submitted,
THE FIRM OF HUESCHEN AND SAGE

By: G. Patrick Sage
G. PATRICK SAGE

Dated: August 9, 2002
Customer No.: 25,666
500 Columbia Plaza
350 East Michigan Ave.
Kalamazoo, MI 49007-3856
(616) 382-0030



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/869,768		Jean Pierre Giraud	CR1PCT/w

CONFIRMATION NO. 8743

ABANDONMENT/TERMINATION
LETTER

00000000008523023

Date Mailed: 07/26/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/07/2002.

- The reply received on 05/24/2002 was untimely.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

RECEIVED
JUL 30 2002
The Firm of
HUESCHEN AND SAGE

* * * * *

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

* * * * *

Applicants: Jean Pierre GIRAUD and Roger NOBILET
 Serial No.: 09/869,768 (Unofficial)
 Filed : June 29, 2001
 Title : Dispenser of objects.

* * * * *

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
 WASHINGTON, D.C. 20231

TRANSMITTAL OF MISSING PARTS

Sir:

Responsive to the Notification of Missing requirements dated February 6, 2002, as to which the period for submission has been extended for two (2) months from April 6, 2002 to June 6, 2002, by payment of the appropriate fee as well as the accompanying missing parts fee, the applicants respond as follows. The Declaration of the Inventors, signed by one(1) of two (2) inventors is submitted herewith as well as a copy of the Notice of Missing Parts Requirement. In addition, The applicants submit a Petition under 37 CFR § 1.47. The petition is completed by a person with knowledge of the circumstances surrounding the assembly of the formal pages for this application. The petition provides information and evidence establishing that a diligent effort was made to contact the non-signing inventor as well as the last known address of the non-signing inventor. It is submitted that the signing applicant has provided evidence and information sufficient for the office to complete its duties required under the provision. Entry of the Declaration and Petition under 37 CFR § 1.47, and entry of the instant application into National Phase examination are respectfully solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE


 G. PATRICK SAGE, Attorney #37,710

Dated: May 9, 2002
 500 Columbia Plaza
 350 East Michigan Avenue
 Kalamazoo, MI 49007
 616 382-0030

Enclosure: Copy of Notice to File Missing Parts,
 Check No. 70776 for \$130, Return postal card receipt,
 Declaration and Power of attorney, Petition under 37 CFR § 1.47 with accompanying
 evidence, Petition for two (2) month extension and accompanying fee.

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(g)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this date.


 Dated: May 9, 2002

HUESCHEN AND SAGE



UNITED STATES PATENT AND TRADEMARK OFFICE

 (Communication for Publication, Exam, and
 Office Action, Notice, and Status with Office)
 Washington, D.C. 20590
 (404) 977-1000

U.S. APPLICATION NUMBER NO. 09/869,768	FIRST NAMED APPLICANT Jean Pierre Giraud	ATTY. DCKET NO. CR1PCT/w
---	---	-----------------------------

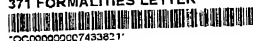
INTERNATIONAL APPLICATION NO. PCT/FR99/03317	
LA FILING DATE 12/30/1999	PRIORITY DATE 12/31/1998

25666
 THE FIRM OF HUESCHEN AND SAGE
 500 COLUMBIA PLAZA
 350 EAST MICHIGAN AVENUE
 KALAMAZOO, MI 49007



File Missing Parts
April 10, 2002

CONFIRMATION NO. 8743
 371 FORMALITIES LETTER



Date Mailed: 02/06/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTORNEY'S FIRM
09/869,768	PCT/FR99/03317	CRIPPT/W

FORM PCT/DO/EO/905 (371 Formalities Notice)

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

DISPENSER OF OBJECTS

the specification of which
(check one)

☐ is attached hereto.

☒ was filed on December 30, 1999 as an original application or PCT International

Application Number PCT/FR99/03317

and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

98 16772
(Number)

FRANCE
(Country)

31/12/1998
(Day/Month/Year Filed)

☒

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/FR99/03317

(Application Serial No.)

December 30, 1999

(Filing Date)

Pending

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

G. Patrick Sage #37,710



25666

PATENT TRADEMARK OFFICE

THE FIRM OF
HUESCHEN AND SAGE
P.L.L.C.

ATTORNEYS AND COUNSELORS

500 COLUMBIA PLAZA

350 EAST MICHIGAN AVENUE

KALAMAZOO, MICHIGAN 49007-3856

19007

Send Correspondence to

Direct Telephone Calls to: *(name and telephone number)*
616-382-0030

Full name of sole or first inventor	GIRAUD Jean-Pierre	Date
Sole or first inventor's signature		
Residence	7 rue de la Nativité, 75012 PARIS / FRANCE	
Citizenship	FRANCE	
Post Office Address	The same as residence	

Full name of second inventor, if any	NOBILET Roger	Date
Second inventor's signature	<i>Robilet</i>	November 8, 2001
Residence	1 rue Beauregard, 77200 TORCY / FRANCE	
Citizenship	FRANCE	
Post Office Address	The same as residence	

Dolisos

LABORATOIRES

DECLARATION

Applicants : Jean-Pierre GIRAUD and Roger NOBILET

Serial Number : 09/869,768

Filed : June 27,2001

Title : DIPENSER OF OBJECTS

Honorable commissioner of patents and trademarks
Washington , DC 20231

PETITION UNDER 37 CFR § 1.47

M. Jean CALVO, a citizen of France, domiciled in 45, place Abel Gance 92100 BOULOGNE and having its offices 1, Avenue d'Albi 81100 CASTRES do hereby state and declare that :

I am responsible for gathering all documents necessary for the international filling of all applications from Laboratoires DOLISOS.

In this quality, I forwarded to the inventors of the above Title mentioned, Jean-Pierre GIRAUD and Roger NOBILET, the declaration required for application in the United States to sign it.

BIOMÉRIEUX-PIERREFABRE

Séjour administratif : Place de la Plaine - 6, rue Bénédictine des Moutiers - B.P. 5830, 31505 Toulouse Cedex 5 TEL (33) 05 62 47 77 00 - Fax (33) 05 62 47 27 07

Unité de Production
La Tourlandrie, 61400 Amnéville - Tél. (33) 02 37 71 24 24 - Fax (33) 02 37 52 18 11

Le Puyat, 46000 Cahors - Tél. (33) 05 65 23 57 01 - Fax (33) 05 65 22 07 07

Société Anonyme à Directeur et à Conseil de Surveillance au capital de 69 848 275 F - RCS Nanterre B 572 075 484

Séjour 99021 45, place Abel-Gance, 92654 Boulogne Cedex

Par le Président Pierre Fabre et le Directeur Général

Despite a follow-up letter sent to Jean-Pierre GIRAUD, he did not return the declaration to us.

You will find attached :

- letter of January 30th 2002 to Jean-Pierre GIRAUD together with the receipt signed by Jean-Pierre GIRAUD.
- letter of February 21st 2002 to Jean-Pierre GIRAUD together with the receipt. This letter was never taken out by Jean-Pierre GIRAUD

Nevertheless, to fulfil the requirements for the instant petition, we supply the last known address of the signing inventor, which is :

Jean-Pierre GIRAUD

7, rue de la Nativité

75012 PARIS

France

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that theses statements were made with the knowledge that wilful false statements and like so made are punishable by fine or imprisonment or both, under section 1001 of Title or the United States Code and that such wilful false statements pay jeopardize the validity of the application or any patent issued thereon.

Signed at Boulogne :

Date: April 22nd 2002

Postal Address :

1 Avenue d'Albi
82100 CASTRES

The Firm of
HUESCHEN AND SAGE PLLC
ATTORNEYS AND COUNSELORS
500 COLUMBIA PLAZA
350 EAST MICHIGAN AVENUE
KALAMAZOO, MICHIGAN 49007-3856

State Bank of Caledonia

76-087724

70776

05/09/2002

PAY TO THE
ORDER OF

Commissioner of Patents & Trademarks

\$ **130.00

DOLLARS

One Hundred Thirty and 00/100*****

Commissioner of Patents
Washington, DC 20231

G. PATRICK SAGE, ATTY. AT LAW

G. Patrick Sage

MEMO:

PF 96 PCT US - SN 09/869,768

⑈070776⑈ ⑈072405879⑈ 02 2854 0⑈

SECURITY FEATURES. MICRO PRINT TOP & BOTTOM BORDERS. COLORED PATTERN - ARTIFICIAL WATERMARK ON REVERSE SIDE - MISSING FEATURE INDICATES A COPY

Applicant : Jean Pierre GIRAUD & Roger NOBILET
Serial No. : 09/869,768 (Unofficial)
Filed : June 29, 2001
Title : Dispenser of objects.

The PTO Stamp when affixed hereon will acknowledge receipt by certificate of Mailing filing procedure of Transmittal of missing parts with copy of notice to file missing parts, check no. 70776 for \$130.00 Declaration and power of attorney, Petition under 37 CFR § 1.47 with accompanying evidence, Petition for two month extension and accompanying fee.

Dated: May 9, 2002

PF 96 PCT/Iw
JC14 Rec'd PCT/PTO 24 MAY 2002

CERTIFICATE OF MAILING
UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington DC 20231 on


Linda Wooden

Dated: May 9, 2002

PF 96 PCT

* * * * *

Applicant : Jean Pierre GIRAUD and Roger NOBILET
Serial No. : 09/869,768 (Unofficial)
Filed : June 29, 2001
Title : Dispenser of objects.

* * * * *

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

PETITION FOR EXTENSION UNDER 37 CFR § 1.136(a)

Applicant(s) hereby petition(s) for extension of time for response from April 6, 2002 until June 6, 2002.

The period involved is ☐ one ☒ two ☐ three ☐ four months.

The necessary fee, covering this extension, in the amount of ☐\$55 ☐\$200

☐\$460 ☐\$720 - small entity

☐\$110 ☒\$400 ☐\$920 ☐\$1,440 is enclosed.

Check No. 70777 dated May 9, 2002.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By: 

G. PATRICK SAGE

Dated: May 9, 2002
Customer No: 25,666
500 Columbia Plaza
350 East Michigan Ave.
Kalamazoo, MI 49007

The Firm of
HUESCHEN AND SAGE PLLC
ATTORNEYS AND COUNSELORS
500 COLUMBIA PLAZA
350 EAST MICHIGAN AVENUE
KALAMAZOO, MICHIGAN 49007-3856

State Bank of Caledonia

14-56772A

70777

05/09/2002

PAY TO THE
ORDER OF

Commissioner of Patents & Trademarks

\$ **400.00

DOLLARS

Four Hundred and 00/100*****

Commissioner of Patents
Washington, DC 20231

G. PATRICK SAGE, ATTY. AT LAW

G. Patrick Sage

MEMO:

PF 96 PCT US - SN 09/869,768

⑈070777⑈ ⑆072405879⑆ 02 2854 0⑈

SECURITY FEATURES: MICRO PRINT TOP & BOTTOM BORDERS - COLORED PATTERN - ARTIFICIAL WATERMARK ON REVERSE SIDE - MISSING FEATURE INDICATES A COPY

Applicant :
Serial No. :
Filed :
Title :

Jean Pierre GIRAUD & Roger NOBILET
09/869,768 (Unofficial)
June 29, 2001
Dispenser of objects.

The PTO Stamp when affixed hereon will acknowledge receipt
by certificate of Mailing filing procedure of Petition for extension
and check no. 70777 for \$400.00

Dated: May 9, 2002
PF 96 PCT/lw

JC14 REC'D PCT/PTO 24 MAY 2002